

**DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT**

**Cooperative Gypsy Moth Project
For Central Indiana
2007**

By

**United States Department of Agriculture
Animal and Plant Health Inspection Service**

February 2007

DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

INTRODUCTION

This document accompanies the Environmental Assessment (EA) titled “Cooperative Gypsy Moth Project for Central Indiana - 2007”, written by the Indiana Department of Natural Resources (IDNR) and the United States Department of Agriculture (USDA). The EA is a site-specific analysis of the potential effects of implementing the project, which is referenced as the proposed action. The IDNR is requesting that the USDA-Animal Plant Health Inspection Service (APHIS) provides both technical and financial assistance on this project. Procedures outlined by the National Environmental Policy Act of 1969 (NEPA) must be followed in order for federal assistance to be approved. The NEPA process provides a mechanism to identify 1) issues and concerns from the public, 2) reasonable and prudent alternatives for the proposed action, 3) potential environmental impacts of the alternatives, and 4) appropriate mitigation measures. In addition to the EA and this Decision Notice and Finding of No Significant Impact, the USDA requires that a Work, Safety and Security Plan, and a Biological Evaluation also be completed before the project can be implemented.

SUMMARY OF PROPOSED ACTION

IDNR, in cooperation with APHIS, proposes treating 1 site in central Indiana. Btk, *Bacillus thuringiensis* var. *kurstaki*, would be used to treat the proposed site of 299 acres. The objective for this cooperative project is to eradicate gypsy moth by eliminating reproducing populations from the proposed treatment site.

Btk would be applied up to three times by air in accordance with label directions during late April to mid May when larvae are first and second instars. IDNR would administer the overall operational and administrative aspects of the cooperative project. APHIS would cost-share on applications and would provide technical assistance to the IDNR.

DECISION

The EA discusses alternatives for treating gypsy moth populations in Indiana. The EA documents a site-specific environmental analysis conducted jointly by the IDNR and APHIS for federally supported gypsy moth activities in 2007. The EA is tiered (40 CFR 1502.20; 1508.28) to the 1995 Final Environmental Impact Statement (FEIS) entitled “Gypsy Moth Management in the United States: a cooperative approach” (USDA 1995). The EA includes a site-specific discussion of:

1. Purpose and need for action
2. Alternatives, including the proposed action
3. Affected environment
4. Environmental consequences

The four alternatives that were considered in detail in this analysis were:

1. No action
2. Btk
3. Mating disruption
4. Mass trapping

Based upon the analysis documented in this EA and the FEIS, it is my decision that the objectives of the proposed action and the needs of the people of Indiana are best met by Alternative 2. This alternative is compatible with the preferred alternative discussed in the FEIS and selected in the Record of Decision, January 1996.

RATIONALE FOR DECISION

The general policy of the USDA is to protect forest-related values from damaging insect and disease outbreaks. This policy stems from the Plant Protection Act of 2000 (7 U.S.C. section 7701), the Cooperative Forestry Assistance Act of 1978, as amended (P.L. 95-313), which incorporates provisions of the Forest Pest Control Act of 1947, and the Cooperation with State Agencies in Administration and Enforcement of Certain Federal Laws (7 U.S.C. section 450). These laws provide for federal and state cooperation in forest insect and disease management. The Cooperative Forestry Assistance Act has been reauthorized by the 2002 Farm Bill (P.L. 107-171d) and grants authority to the Secretary of Agriculture to assist state officials through cooperative programs to control forest insects and diseases on non-federal forestlands of all ownerships. These programs have several purposes: (1) to enhance the growth and maintenance of trees and forests, (2) to promote the stability of forest-related industries, and associated employment, through the protection of forest resources, (3) to conserve forest cover on watersheds, shelterbelts, and windbreaks, (4) to protect outdoor recreation opportunities and other forest resources, and (5) to extend timber supplies by protecting wood products, stored wood, and wood in use.

The USDA Departmental Gypsy Moth Policy (USDA 1990) assigns the USFS and APHIS the responsibility to assist states in protecting non-federal lands from gypsy moth damage. On January 16, 1996, Joan M. Comanor, Deputy Chief of the USFS for State and Private Forestry, and Donald F. Husnick, Deputy Administrator of APHIS for Plant Protection and Quarantine, signed a Record of Decision (ROD) (USDA 1996) for the FEIS. The FEIS and ROD document the decision by USDA to support eradication, slow-the-spread, and suppression strategies for gypsy moth management. The ROD and FEIS specify that implementation of this alternative will require the completion of site-specific analyses conducted in accordance with NEPA and the environmental policy and procedures of the USDA (USDA 1996, p.1).

My decision to choose Alternative 2 as the preferred alternative is based upon compliance with and the authority granted by the federal laws and regulations previously described and with USDA policy. This project complies with the Forest Pest Management Control Project Standards as described in the USFS Manual (FSM 3430) and the Cooperative Control Project Participation Criteria as described in Chapter 10 of the USFS Handbook (FSH 3409.11). This project complies with USFS policy to protect and preserve the forest resources of the nation against destructive forest insects and diseases (USDA 1995, Vol. II, p. 1-3).

I did not choose the other alternatives for the following reasons:

Alternative 1 – If no action is taken, gypsy moth will increase and spread, and defoliation will occur. Therefore, the “no action” alternative is not preferred due to state officials’ desire to eliminate the isolated infestations, prevent human discomfort associated with infestations, delay damage to local plant communities and reduce spread to adjacent uninfested areas. Local citizens agreed that the “no action” alternative is not preferred through the scoping process (Appendix A). Alternative 1 also does not support the general APHIS policy to eradicate isolated infestations on state and private lands.

Alternative 3 – The gypsy moth population level in the proposed site is above the threshold for application of pheromone flakes. Mating disruption would not meet the project objective of eliminating gypsy moth populations from the proposed treatment site

Alternative 4 – This alternative was not selected because the site was too large and the low level population was above the ability for mass trapping to work.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the EA and carefully considered the issues and concerns expressed by the citizens of Indiana. Based on the site-specific environmental analysis documented in the EA, I have determined that implementing this decision in the manner described will not cause significant environmental impacts or adverse effects. Therefore, an environmental impact statement is not needed for this project. This decision was made after considering the context and intensity of the project.

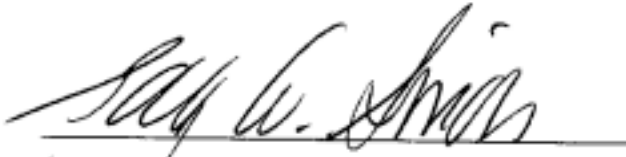
There are no significant effects after considering context and intensity of the project (40 CFR 1508.27). The site-specific EA evaluates the environmental consequences (effects) of the proposed action in the context of local and regional issues. Cooperative gypsy moth treatment, approximately 299 acres, would occur on the one urban forested area in one county. This is only a small portion of the total forested acres in the county.

The intensity of any effects is minimal for the following reasons:

1. Impacts from the applications are limited to the treatment area.
2. There is no indication that the general public will experience any adverse health or safety effects from mating disruption (USDA 1995, Vol III, p. 8-1 through 8-6) and Btk (USDA 1995, Vol III, p. 4-1 through 4-21).
3. Treatment materials will not affect wetlands or ecologically critical areas.
4. Treatment materials are not highly controversial and will help to maintain the quality of the environment, as it existed prior to gypsy moth infestation. Btk is registered for gypsy moth and will be applied according to label requirements. This meets the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act of 1947 (7 USC 136) as amended.
5. There are no known unique or unknown risks associated with this project.
6. The decision to proceed is based upon the results of a site-specific environmental analysis conducted in accordance with NEPA. Decisions regarding future actions will be made in a similar manner.
7. The FEIS analyzed and demonstrated that neither cumulative environmental nor human health risks are associated with the use of treatment materials.
8. The action will not affect any item listed on or eligible for listing on the National Register of Historic Places, nor will it cause loss of destruction of significant scientific, cultural, or historical resources.

9. U.S. Fish & Wildlife Service was consulted, and it was determined that there would be no significant impact to threatened or endangered species or its habitat within the proposed treatment area.
10. The proposed action complies and is consistent with all federal, state and local laws or requirements imposed for protection of the environment. The action is a cooperative project that has been planned, funded and will be implemented by agencies representing federal and state governments.
11. The public will be notified prior to aerial application. Application of Btk will be suspended when school children are present outside.

This analysis was performed in compliance with Executive Order 12898 (Environmental Justice, February 11, 1994). This project will not be implemented on national forest lands, thus the decision is not subject to the USFS appeals process. This project may be implemented after this document has been signed.



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DATE: